

Message

From: David Ganje [davidganje@ganjelaw.com]
Sent: 9/27/2017 2:58:51 PM
To: Shea, Valois [Shea.Valois@epa.gov]
Subject: RE: Dewey Burdock - UIC Program financial responsibility requirements

Yes
Please call
Thanks

Also have you folks at the EPA received the proposed irrevocable letter of credit and standby trust agreement from Powertech? If you have not received the instruments, have you been provided with the language of the proposed instruments?

Thanks

David L Ganje
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Web: lexenergy.net
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From: Shea, Valois [mailto:Shea.Valois@epa.gov]
Sent: Tuesday, September 26, 2017 7:49 PM
To: David Ganje <davidganje@ganjelaw.com>
Subject: RE: Dewey Burdock - UIC Program financial responsibility requirements

I am on travel these two weeks, but will try to call you tomorrow morning.

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: David Ganje [<mailto:davidganje@ganjelaw.com>]
Sent: Tuesday, September 26, 2017 1:51 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Dewey Burdock - UIC Program financial responsibility requirements

Ex. 6 Personal Privacy (PP)

Thanks

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From: David Ganje
Sent: Monday, September 25, 2017 4:56 PM

To: 'Shea, Valois' <Shea.Valois@epa.gov>

Subject: RE: Dewey Burdock - UIC Program financial responsibility requirements

Thanks I have a couple of short questions when you can call.
Please call my cell

Ex. 6 Personal Privacy (PP)

Thanks

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From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, September 25, 2017 3:24 PM

To: David Ganje <davidganje@ganjelaw.com>

Subject: RE: Dewey Burdock - UIC Program financial responsibility requirements

Oops! Sorry – the link to Class III Appendix L is
<https://www.epa.gov/sites/production/files/2016-11/documents/appendixl.pdf>

Valois

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Email: shea.valois@epa.gov

From: David Ganje [<mailto:davidganje@ganjelaw.com>]
Sent: Monday, September 25, 2017 1:21 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Dewey Burdock - UIC Program financial responsibility requirements

Thanks

I will look at this but I think you gave me two Class V reports rather than one of each

Please review and let me know

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From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Monday, September 25, 2017 3:05 PM
To: David Ganje <davidganje@ganjelaw.com>
Cc: Chin, Lucita <Chin.Lucita@epa.gov>
Subject: RE: Dewey Burdock - UIC Program financial responsibility requirements

Hello,

UIC regulation §144.52 *Establishing permit conditions* (a)(7)(i) states The permittee...is required to demonstrate and maintain financial responsibility and resources to close, plug, and abandon the underground injection operation in a manner prescribed by the Director...

Our program regulatory authority for financial assurance covers only the plugging and abandonment (P&A) of the injection wells. The UIC program evaluates only the permittee's ability to pay that amount. We don't evaluate any financial records other than when the permittee submits their financial assurance instrument to cover the P&A costs.

If you are interested in the P&A costs, Powertech provided the costs for plugging and abandoning the injection wells in the permit applications:

Class V permit application, Table Q-1, p. 138 of the pdf found at

https://www.epa.gov/sites/production/files/2016-11/documents/classvapplication_1.pdf

Class III permit application, Appendix L found at

https://www.epa.gov/sites/production/files/2016-11/documents/classvapplication_1.pdf

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Email: shea.valois@epa.gov

From: David Ganje [<mailto:davidganje@ganjelaw.com>]

Sent: Friday, September 22, 2017 5:48 PM

To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Dewey Burdock

New question please

Where in your records may I access the financial records and info on the Dewey Burdock project?

Thanks

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From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]

Sent: Monday, August 28, 2017 4:22 PM

To: David Ganje <davidganje@ganjelaw.com>

Subject: RE: Dewey Burdock

The NRC tracks these facilities in states that are not agreement states. Here are a couple of websites to help you find the answers you seek.

<https://www.nrc.gov/info-finder/materials/uranium/> states there are 12 ISR facilities in the US regulated by the NRC.

The locations of these sites are found at: <https://www.nrc.gov/info-finder/materials/uranium/>

If you scroll down that page, there is a table where you can click on the site name and find more info about the site, including pending license actions.

The other state that has active ISR sites is Texas, which is an agreement state. I couldn't find any info about these sites on the Texas DEQ website, but the Wise uranium website has info about Texas ISR sites:

<http://www.wise-uranium.org/uoua.html#TX>

Info about new uranium sites on Wise uranium (this includes more than just ISR)

New sites in Texas: <http://www.wise-uranium.org/upusatx.html>

New sites in the US: <http://www.wise-uranium.org/indexu.html#UPROJ>

I move on to your other emails now.

Valois

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Email: shea.valois@epa.gov

From: David Ganje [<mailto:davidganje@ganjelaw.com>]

Sent: Friday, August 25, 2017 7:38 PM

To: Shea, Valois <Shea.Valois@epa.gov>

Subject: RE: Dewey Burdock

How many new in situ uranium projects are now pending in the US?

How many such projects have been put in the table by developers over the last ten years?

Thanks

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From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Friday, August 25, 2017 7:13 PM
To: David Ganje <davidganje@ganjelaw.com>
Subject: RE: Dewey Burdock

Why thanks!

Valois

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Email: shea.valois@epa.gov

From: David Ganje [<mailto:davidganje@ganjelaw.com>]
Sent: Friday, August 25, 2017 5:08 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Dewey Burdock

Thanks

You should go home early today

You did a good job

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From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Friday, August 25, 2017 7:07 PM
To: David Ganje <davidganje@ganjelaw.com>
Subject: RE: Dewey Burdock

The current status of the Dewey-Burdock Class V permit is still draft. We received many comments during the public comment period that we are currently reviewing. We don't have a timeframe for issuing the final permit decision, which could be to deny the permit, modify the draft permit or issue the final permit.

I am working toward posting the comments we received during the public comment period on our website. The public hearing transcripts are already available at:
<https://www.epa.gov/uic/dewey-burdock-public-hearing-transcripts>

The website for the Dewey-Burdock administrative records is:
<https://www.epa.gov/uic/epa-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-permits>

I have added you to the contact list for future notification e.g. when the public comments are posted and any future EPA activities related to the Dewey-Burdock site.

Valois

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Email: shea.valois@epa.gov

From: David Ganje [<mailto:davidganje@ganjelaw.com>]
Sent: Friday, August 25, 2017 4:08 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Dewey Burdock

Would you also please indicate the current status of the Class V permit. Is it conditionally approved per the terms of the Fact Sheets? Are there other pending issues required for its approval? Etc.

Thanks

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From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Friday, August 25, 2017 5:57 PM
To: David Ganje <davidganje@ganjelaw.com>
Subject: RE: Dewey Burdock

§144.28 includes Requirements for Class I, II, and III wells authorized by rule. It is found on p. 22 of the Part 144 document I attached. This subsection would not be applicable to Class V well permitting.

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Email: shea.valois@epa.gov

From: David Ganje [<mailto:davidganje@ganjelaw.com>]
Sent: Friday, August 25, 2017 3:49 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Dewey Burdock

Thanks.

How please is the following applicable?
Why is it not found in the info you sent?

§ 144.28 40 CFR Ch. I (7–1–16 Edition)

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From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Friday, August 25, 2017 5:32 PM
To: David Ganje <davidganje@ganjelaw.com>
Subject: RE: Dewey Burdock

Here is the link to the UIC permit application:
https://www.epa.gov/sites/production/files/2015-10/documents/7520-6_0_508c.pdf

I have attached the UIC regs that I have downloaded into Word for my personal use.
They are 40 CFR 144 and 40 CFR 146.
The permitting requirements are found in 144 subpart D.
The regs covering the public participation process are found at 40 CFR Part 124.

Valois

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Email: shea.valois@epa.gov

From: David Ganje [<mailto:davidganje@ganjelaw.com>]
Sent: Friday, August 25, 2017 1:51 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Subject: RE: Dewey Burdock

Ok

We can certainly start that way.

Would you please send me the forms or citation to the forms and rules if they are available on the web for an application for a Class V permit in your region?

Thanks

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From: Shea, Valois [<mailto:Shea.Valois@epa.gov>]
Sent: Friday, August 25, 2017 3:46 PM
To: David Ganje <davidganje@ganjelaw.com>
Subject: RE: Dewey Burdock

Hello Mr. Ganje,
Would you mind emailing me your questions, please? Then I can either set up a call with the right people to provide the answers, or email the answers.
Thanks!

Valois

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Email: shea.valois@epa.gov

From: David Ganje [<mailto:davidganje@ganjelaw.com>]
Sent: Thursday, August 24, 2017 7:39 PM

To: Shea, Valois <Shea.Valois@epa.gov>

Subject: Dewey Burdock

Hello

I have a couple of questions. Would you be kind enough to call my cell at your earliest convenience tomorrow?

Thanks

Cell **Ex. 6 Personal Privacy (PP)**

David L Ganje

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